

Remarks

By way of the foregoing amendment claims 28-39 have been cancelled without prejudice. Accordingly, claims 1-27 are pending and at issue in the above-identified patent application. Of the claims at issue, claims 1 and 18 are independent. In view of the foregoing amendments and the following remarks, reconsideration of the application is respectfully requested.

In the Office action, various claims were rejected as being unpatentable over Chauvel (US 6,369,885) in view of Muto (US 5,799,129). It is respectfully submitted that claims 1-27 are allowable over these patents for the reasons set forth below.

Claims 1 and 18 are directed to apparatus and methods to play digitally recorded audiovisual data in reversed order. To that end, the claims recite receiving and decoding a portion of the digitally recorded audiovisual data. The decoder then stores the decoded portion in a decoder memory and subsequently transfers the decoded portion in non-reversed order to a graphics accelerator. The graphics accelerator then writes the audiovisual data to a graphics accelerator memory. Subsequently, the graphics accelerator, in response to a command, reads the decoded portion from the graphics accelerator memory in a reversed order for playback. It is respectfully submitted that the prior art does not disclose or suggest such a configuration and/or operation.

Chauvel is directed to audio and video decoding circuits and systems. To that end Chauvel discloses many circuit components such as an on-screen display module having hardware acceleration capabilities, and an A/V core having MPEG video decoding capabilities. While the background section of Chauvel generally mentions the notion of playing back audiovisual content in reversed order, it is respectfully submitted that Chauvel does not disclose or suggest that the reversed playback could or should be facilitated using a decoder with its associated memory and a graphics accelerator using its associated memory, as recited in the pending claims. In fact, the concept of reversed playback is not even addressed with regard to the drawing/invention description in Chauvel.

Muto is similarly deficient with regard to its disclosure relative to the claim language. While Muto discloses further detail regarding reversed playback, Muto does not disclose or suggest that a graphics accelerator and its associated memory could or should be used to

facilitate such reverse playback. To the contrary, Muto discloses the use of a frame buffer, which is part of a decoder, for carrying out reverse playback.

As illustrated above, neither Chauvel nor Muto discloses or suggests using the decoder and associated memory in combination with a graphics accelerator and associated memory, as recited by claims 1 and 18. Accordingly, it is respectfully submitted that claims 1 and 18, as well as all claims dependent thereon, are in condition for allowance.

The Office action takes official notice that graphics accelerators are known for offloading tasks from a main CPU. The Office action concludes that it would have been obvious to one skilled in the art at the time of the invention to modify Chauvel to include a video accelerator with memory to offload the decoding processing in a manner as taught by Muto. However, as noted above, neither Chauvel nor Muto discloses or suggests the recited operation/structure of decoding, storing to the decoder memory, passing to the accelerator, and storing the portion in the accelerator memory.

For rejections of claims based on obviousness under 35 U.S.C. § 103(a), the Federal Circuit has explained the requirements under the Administrative Procedure Act¹ as follows:

When patentability turns on a question of obviousness, the search for and analysis of the prior art includes evidence relevant to the finding of whether there is a teaching, motivation, or suggestion to select and combine the references relied on as evidence of obviousness.

* * * *

‘The factual inquiry whether to combine references must be thorough and searching.’ It must be based on objective

¹ Relatively recent Federal Circuit cases have clarified that tribunals of the Patent Office are subject to the Administrative Procedure Act. For example, in *In re Lee*, 61 U.S.P.Q.2d 1430, 1433 (Fed. Cir. 2002), the Federal circuit explained:

The Administrative Procedure Act, which governs the proceedings of administrative agencies and related judicial review, establishes a scheme of ‘reasoned decision making.’ Not only must an agency’s decreed result be within the scope of its lawful authority, but the process by which it reaches that result must be logical and rational.

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Judicial review of a Board decision denying an application for patent is thus founded on the obligation of the agency to make the necessary finding and to provide an administrative record showing the evidence on which the findings are based, accompanied by the agency’s reasoning in reaching its conclusions.

evidence of record. This precedent has been reinforced in myriad decisions, and cannot be dispensed with.

In re Lee, U.S.P.Q.2d 1430, 1433-1434 (Fed. Cir. 2002) (citations omitted, emphasis added).


In the instant case, even though accelerators may be well known, the operation/structures recited in the claims are not shown or suggested by the applied references. The record lacks evidence of a suggestion to modify the Chauvel system to operate in the claimed manner.

Conclusion

Reconsideration of the application and allowance thereof are respectfully requested. If there is any matter that the examiner would like to discuss, the examiner is invited to contact the undersigned representative at the telephone number set forth below.

Respectfully submitted,
Hanley, Flight & Zimmerman, LLC
20 North Wacker Drive
Suite 4220
Chicago, Illinois 60606

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Mark C. Zimmerman
Reg. No. 44,006
Attorney for Applicants
312.580.1020